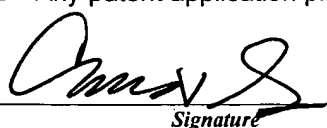
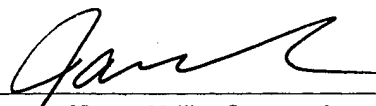
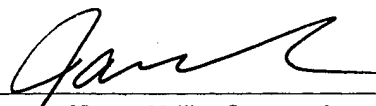
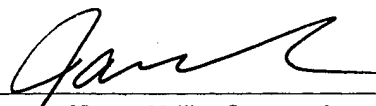


IFW

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. 44149-0136							
Applicant(s): Howard D. Rubenstein											
Serial No. 10/612,767	JUL 06 2004 <small>RECEIVED MAIL ROOM</small>	Filing Date 7/02/2003	Examiner Dirk Wright	Group Art Unit 3681							
Invention: CONTINUOUSLY VARIABLE TRANSMISSION											
<u>TO THE COMMISSIONER FOR PATENTS:</u>											
Transmitted herewith is an amendment in the above-identified application.											
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.											
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.											
The fee has been calculated and is transmitted as shown below.											
CLAIMS AS AMENDED											
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE						
TOTAL CLAIMS	9 -	20 =	0 x	\$9.00	\$0.00						
INDEP. CLAIMS	1 -	3 =	0 x	\$43.00	\$0.00						
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00						
<input checked="" type="checkbox"/> No additional fee is required for amendment.											
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____											
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.											
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2814											
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.											
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.											
 Signature			Dated: July 1, 2004								
Albin H. Gess Reg. No. 25,726 SNELL & WILMER LLP 1920 Main Street, Suite 1200 Irvine, CA 92614 949-253-2720			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I certify that this document and fee is being deposited on July 1, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</td> </tr> <tr> <td colspan="2" style="text-align: center;">  Signature of Person Mailing Correspondence </td> </tr> <tr> <td colspan="2" style="text-align: center;"> James Lee Typed or Printed Name of Person Mailing Correspondence </td> </tr> </table>			I certify that this document and fee is being deposited on July 1, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		 Signature of Person Mailing Correspondence		James Lee Typed or Printed Name of Person Mailing Correspondence	
I certify that this document and fee is being deposited on July 1, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.											
 Signature of Person Mailing Correspondence											
James Lee Typed or Printed Name of Person Mailing Correspondence											
cc:											



Patent
44149-0136

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Howard D. Rubenstein

Serial No.: 10/612,767

Filed: July 2, 2003

For: CONTINUOUSLY VARIABLE
TRANSMISSION

Patent Examiner: Wright, Dirk

Group Art Unit: 3681

July 1, 2004

Irvine, California 92614

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action of June 8, 2004 requiring an election between two species identified as planetary transmission (claims 1-7) and non-planetary transmission (claims 8-16), Applicant elects claims 8-16 with traverse.

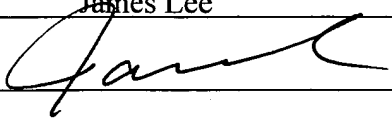
Examiner contends that claims 8-16 are directed to a non-planetary transmission. Claim 8 specifically calls for "a plurality of planet gears each disposed about one of said plurality of crankshaft and driven by said crankshaft ...".

Claims 1-7 and claims 8-16 are directed to different species of planetary transmissions. Apparently, the restriction requirement is also grounded on the different species.



Patent
44149-0136


I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 1, 2004.

By: James Lee

Signature

Dated: July 1, 2004

Respectfully submitted,

SNELL & WILMER L.L.P.


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